

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM LEON MAROTZ,

No. C-13-01677 DMR

Plaintiff(s),

ORDER TO SHOW CAUSE

v.

CITY OF SAN FRANCISCO ET AL,

Defendant(s).

Defendant City of San Francisco has filed a motion to dismiss all of Plaintiff's claims pursuant to Federal Rule of Civil Procedure 12(b)(6). [Docket No. 26.] Currently, the motion is set for a court hearing on October 31, 2013. Plaintiff is pursuing this action without legal representation. According to the local rules, Plaintiff should have filed any brief in opposition to the motion by October 2, 2013. *See* N.D. Cal. Civ. L.R. 7-3. The court has received no such opposition.

The court **ORDERS** Plaintiff to respond by October 21, 2013 and explain his failure to respond to the motion. In addition, Plaintiff must simultaneously (1) submit his opposition to the court or (2) file a statement of non-opposition to the motion. This order to show cause does not indicate that the court will necessarily accept Plaintiff's late submission. If Plaintiff does not respond by October 21, 2013, Defendant's motion may be granted and the case may be dismissed for failure to prosecute.

The court further **ORDERS** that Defendant shall file a reply, if any, to Plaintiff's opposition no later than October 28, 2013. The hearing date remains unchanged.

IT IS SO ORDERED.

Dated: October 8, 2013


DONNA M. RYU
United States Magistrate Judge